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Atty. Dkt. No.: WT0156

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

Applicant: Murphy et al.

Title: GAME BALL LACING

Appl. No.: 10/798,071

Filing Date: March 11, 2004

Examiner: S. Wong

Art Unit: 3711

CERTIFICATE OF PRIORITY MAILING

I hereby certify that this correspondence is being deposited with the United States Postal Service with sufficient postage as Priority Mail on the date indicated below and in an envelope addressed to: Commissioner for Patents, P.O. Box 1450, Alexandria, VA 22313-1450.

Terence P. O'Brien

(Printed Name)

(Signature)

August 6, 2004

(Date)

RESPONSE TO NOTICE OF NON-COMPLIANT AMENDMENT

Commissioner for Patents
P.O. Box 1450
Alexandria, VA 22313-1450

Sir:

A. COMMENTS

This communication is responsive to the two Notices of Non-Compliant Amendment mailed on July 12, 2004 and July 26, 2004. The Notices of Non-Compliant Amendment indicate that the Amendment filed on June 10, 2004 is considered non-compliant because it has failed to meet the requirements of 37 CFR 1.121. In particular, because: A. a complete listing of all of the claims is not present; B. because the listing of claims does not include the text of all claims (including withdrawn claims); and C. there are no previous Amendments to show claims being added after the original claim 39.

In the Amendment filed on June 10, 2004, Applicants did not include the previously canceled claims 1-28 and 40-64, and the withdrawn claims 29-39 of the preceding applications of the present Application. With this Response, Applicants respectfully submit a revised listing of all the claims including the withdrawn claims 29-39.

Applicants also include a listing of claims 1-28 and 40-64, which were previously canceled without prejudice.

Regarding Amendments adding claims after claim 39, the claims referred to in the present Application were included in the following previous Amendments. The original patent application, U.S. Pat. Appl. Ser. No. 09/946,037 (“the ‘037 Application”), relating to the present Application, was filed on September 4, 2001 with 39 claims. In a Reply to a Restriction/Election Requirement, claims 29-39 were withdrawn. In an Amendment filed on May 19, 2003, claims 1-4, 7-18 and 22-28 of the ‘037 Application were canceled without prejudice, and claims 40-50 were added. Claims 5, 6, 19-21, and 40-50 were subsequently allowed in a Notice of Allowance mailed on June 30, 2003 relating to the ‘037 Application (now U.S. Patent No. 6,629,902).

In a Preliminary Amendment filed on May 20, 2003 in U.S. Pat. Appl. Ser. No. 10/441,556 (“the ‘556 Application”), claims 5, 6 and 19-21 were canceled without prejudice, and claims 40-64 were added. The Application ‘556 is a continuation of Application ‘037. In an Amendment to the ‘556 Application dated March 8, 2004, claims 40, 46, 48, 52, 58, 60 and 64 were canceled, and claims 65-70 were added. Claims 41-45, 47, 49-51, 53-57, 59, 61-63 and 65-70 were subsequently allowed in a Notice of Allowance mailed on April 7, 2004 relating to the ‘556 Application (now U.S. Patent No. 6,761,654).

In the Preliminary Amendment filed on March 11, 2004 in the present Application, which is a continuation of the ‘556 Application, claims 40-64 were canceled without prejudice, and claims 65-92 were added.

In the Preliminary Amendment filed on June 10, 2004 in the present Application, the following amendments were requested.

Please amend the present application as follows:

In the Claims:

Please amend claims 65, 66, 78-81, 91 and 92 as indicated in Section B.

Please cancel claim 90 without prejudice, as indicated in Section B.